

Pancyprian Alliance for Disability

**Submission of the Pancyprian Alliance for Disability
to the Committee on the Rights of the Child on the
implementation of the
Convention on the Rights of the Child
with focus on Children with Disabilities**

Nicosia, July 1st, 2019

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Introduction

The Pancyprian Alliance for Disability was founded in December 2015, with the purpose of participating in the review of the State Report on the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) in Cyprus. The organizations and institutions participating in the Alliance are continuing their cooperation in the field of human rights of persons with disabilities, including the representation of the Alliance in Cyprus and abroad, when it comes to general disability policies.

The Alliance is comprised of twenty-nine (29) member organizations, representing a wide range of persons with disabilities and their families in Cyprus. The organizations involved made a strong effort to build their arguments with extensive consideration of all persons with disabilities.

Until now, the Alliance has prepared and send to the Committee on the Rights of Persons with Disabilities an Alternative Report on the Implementation of the CRPD in Cyprus in 2016¹ and response to the List of Issues of the Committee on the Rights of Persons with Disabilities in relation to the initial report of Cyprus in 2017². Also, the Alliance has prepared a “Strategic Action Plan for Disability 2018-2020 (SAPD³), which includes the actions that Government should implement in order to secure the rights of persons with disabilities in Cyprus and it consists the answers to the National Disability Action Plan 2018-2020⁴. Furthermore, in May 2019, the Alliance submit to the Human Rights Committee a report on List of Issues Prior to Reporting (LOIPR) for Cyprus' reporting cycle on the implementation of the International Covenant on Civil and Political Rights⁵.

¹ Alternative Report on the Implementation of the United Nations Convention on the Rights of Persons with Disabilities in Cyprus available at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=73>

² Response to the List of Issues of the Committee on the Rights of Persons with Disabilities in relation to the initial report of Cyprus available at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=73>

³ Strategic Action Plan for Disability 2018-2020 available in Greek at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=73>

⁴ National Disability action Plan 2018-2020 available in Greek at: http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd8b_gr/dsipd8b_gr?OpenDocument

⁵ Submission of the Pancyprian Alliance for Disability on List of Issues Prior to Reporting (LOIPR) for Cyprus' reporting cycle on the implementation of the International Covenant on Civil and Political Rights available at:

https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CYP/INT_CCPR_ICSCYP_34919_E.pdf

The Pancyprian Alliance for Disability, through its current report, aims to provide to the Committee on the Rights of the Child information on the rights of children with disabilities in Cyprus, as they are enshrined in the Convention of the Rights of the Child (CRC), in addition to the respective articles of the Convention on the Rights of Persons with Disabilities.

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Summary

Although Cyprus ratified both CRC and CRPD, as well as the majority of human rights instruments within the framework of the United Nations and of the Council of Europe, and is bound by European Union law, the principles derived from international human rights instruments are very often not mainstreamed into national legislation, as a result of which, their effective implementation becomes problematic.

The situation concerning the rights of children with disabilities is worse than any other group of children since, most of the times, the family is left with the responsibility to cover the cost of disability. This is because many laws, schemes or plans implemented by the Government do not include children with disabilities as beneficiaries.

Moreover, children with disabilities and, in particular, those in vulnerable situations (i.e. placed in institutions, victims of violence or abuse, migrant, asylum seekers or refugees) often experience multiple and intersectional discrimination in many areas of their life and they do not enjoy their rights as enshrined in the CRC and the CRPD.

One of the biggest challenges that the Pancyprian Alliance for Disability faces is to convince the Ministry of Education and Culture to amend the Education and Training of children with Special Needs Laws of 1999-2014 (L. 113(I)/1999)⁶, in a way that will allow children with disabilities to exercise their right to education, and for the Law to be consistent with the provisions of Article 24 of the CRPD and the General Comment No. 4 (2016) on Article 24 of the CRPD (Right to inclusive education)⁷.

Furthermore, the Cyprus Government, together with the whole society, must take all appropriate measures in order to ensure that children with disabilities have the right to express their views freely on all matters affecting them, with their views being given due weight, and to be provided with disability and age-appropriate assistance to fully enjoy that right, according to the Article 7 of the CRPD. Unfortunately, in Cyprus the views of children with disabilities are not sufficiently taken into account in matters concerning them,

⁶ Education and Training of children with Special Needs Laws of 1999-2014 available at: http://www.cylaw.org/nomoi/enop/non-ind/1999_1_113/full.html

⁷ General Comment No. 4 (2016) on Article 24 on the Right to inclusive education available at: http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20160902_General%20Comment%20%20No%204%20Art.%2024.pdf

since the Government, contrary to its obligation to uphold the right to freedom of association and expression, does not provide appropriate assistance and support to children with disabilities in order for them to establish their own representative organizations.

1. Definition of disability and its assessment (Articles 1-4 of the CRPD)

1. In Cyprus, there is neither a uniform nor a consistent definition of “persons with disabilities” in legislation, policies, and schemes or in other documents. Even in the case of recently adopted laws, such as the Law on Guaranteed Minimum Income and General Social Benefits (L. 109(I)/2014), the definition provided is not in line with the CRPD as it is still based on a medical approach to disability.

2. Also, the lack of a common approach, of a uniform definition of “children with disabilities” used by the competent authorities in Cyprus, as well as of disaggregated statistical data, lead to a fragmented accountability system towards children with disabilities’ management and impede the creation of a framework through which developing specific legislation, setting appropriate targets, setting up and coordinating a monitoring mechanism to preserve the rights of the children with disabilities, through cooperation between competent authorities.

3. In particular, in the Cypriot context, both legislation, programs or specific projects concerning persons with disabilities, adopt different understandings of “persons with disabilities”, in a way that violates the CRPD.

4. Furthermore, in the language and terminology used in different laws and policies: “disability” is a term frequently replaced with the term “problem”, “illness” or a “condition people suffer from” and that it is a flaw that needs to be “improved” or “corrected” by doctors, or that may not be “corrected”. The terms “special needs”, “special educative needs” or “special abilities”, used in either legal documents and everyday communication, by both civil servants as well as Members of the Parliament and other politicians, are a great obstacle to the full realization of a human rights-based approach to disability.

5. Further, significant confusion on what is correct approach to disability derives from the fact that even charitable institutions such as the so called “Radiomarathon”, use the term “rights” more than ever in their campaigns, however, in a form which is not in line with the human rights-based approach to disability. In practice, their objective remains to

serve the purpose of collecting money in the streets for the disadvantaged children with disabilities and their institutions, violating the human rights-based philosophy.

6. Children with disabilities and their families face major problems in Cyprus as there are several legal provisions that exclude them from social benefits or, in the case they are eligible, such provisions are rather restrictive (e.g. the Severe Motor Disability Allowance Scheme⁸; the Scheme for the Provision of Financial Assistance to Persons with Disabilities for the Acquisition of a car⁹; the Law on Guaranteed Minimum Income¹⁰; the Law on Mobility Allowance¹¹). For example, according to the Scheme for the Provision of Financial Assistance to Persons with Disabilities for the Acquisition of a car, beneficiaries are only those persons aged between 18-70 years with “severe upper and lower limb disability” and/or “severe visual disability”, leaving out all other kinds of impairments. Furthermore, parents of children with disabilities are not granted exemptions from car registration and road tax fees as adults with disabilities.

7. Additionally, the services available to families with children with disabilities are provided by a fairly large number of agencies, and on the basis of legal regulations whose CRPD compliancy has not been assessed. Services for children with disabilities and their families are hardly ever provided in combination with adequate information or with due to consideration of other available services, frequently failing to address individual needs. In many cases, because of the lack of individual support and adequate assistance, children with disabilities are not in put in the conditions to live with their families and in their communities, resulting in their institutionalization. This is evident when considering early intervention measures, day-care institutions for children, schools and the transition period between school and working life.

⁸ Severe Motor Disability Allowance Scheme available at:
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd10_en/dsipd10_en?OpenDocument

⁹ Scheme for the Provision of Financial Assistance to Persons with Disabilities for the Acquisition of a car available at: http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd15_en/dsipd15_en?OpenDocument

¹⁰ Law on Guaranteed Minimum Income available at:
[http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/N_109\(I\)_2014_Nomos%20EEE%202014&2015.pdf](http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/N_109(I)_2014_Nomos%20EEE%202014&2015.pdf)

¹¹ Law on Mobility Allowance available at:
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd14_en/dsipd14_en?OpenDocument

8. Also, the New System of Assessing Disability and Functioning, based on International Classification of Functioning, Disability and Health (ICF), used for the assessment of disability by the Department for Social Inclusion of Persons with Disabilities, is not based on the human rights model of disability. Many children with disabilities are not eligible for several allowances because of the New System of Assessing Disability and Functioning (e.g. children with cerebral palsy moving their hands or feet during the assessment are rejected from the Severe Motor Disability Allowance Scheme, and/or they are excluded from the Care Allowance Scheme for Quadriplegic or Paraplegic Persons, accordingly).

9. The Department for Social Inclusion of Persons with Disabilities, also use the ICF to categorize children with disabilities as with “mild, moderate, severe or total disability” in order to approve or to reject children with disabilities from certain benefits/allowances schemes. Categorization of persons with disability according to the degree of their disability is not compatible with the principles of the CRPD, in particular the non-discrimination principle.

10. For example, the provision of the Guaranteed Minimum Income only to children with moderate intellectual disability, constitutes discrimination between children with disabilities. Children with any other form of moderate disability are not eligible for the provision of Guaranteed Minimum Income, even though they need similar type of therapies as children with “moderate intellectual disabilities”. Although competent authorities recognize that a child with moderate intellectual disability needs therapies and participation in programs, providing them with the Guaranteed Minimum Income, at the same time, they deprive children with other forms of moderate disability of the same right.

11. Furthermore, regarding the disability assessment, due to the fact that different laws, programmes, schemes and plans are enacted by different authorities in Cyprus, children are subject to a series of assessments, one for each service that will need to be provided. Therefore, a child with disabilities may need to undergo an assessment in order to be certified as a child with disability for educational purposes, a different assessment procedure in order to be eligible for a social benefit etc. After all that procedures we need to take into account that a child is also subjected to reassessments over the years.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Take all the appropriate measures in order to ensure that the definition of “children with disabilities” is compatible with CRPD and CRC, in all relevant laws, regulations and schemes.

- Repeal and replace the definition “children with special needs”, which refers to the “medical model of disability” with a definition of “children with disabilities” that is fully consistent with the concept of “disability” as interpreted in the CRPD.

2. Considerations of equality and non-discrimination in the legislation protecting the rights of the child (Article 5 of the CRPD/Article 2 of the CRC)

12. Children with disabilities are subjected to multiple forms of discrimination based on disability and age. Under the CRPD, the Cyprus Government should take steps to ensure the participation and the active involvement of children with disabilities, through their representative organizations, in all aspects of planning, implementation, monitoring and evaluation of relevant legislation, policies, services and programmes affecting their lives, at school and at the community, local, national and international levels¹². Unfortunately, Cyprus Government is far from complying to its obligations.

13. The “Combating of Racism and Other Discrimination (Commissioner) Law” (L. 42(I)/2004)¹³ aims at protecting people from discrimination on several grounds. On this note, it lists eight (8) protected grounds of discrimination, including “persons with special needs”. The competences of the Office of the Ombudsman, as an independent extrajudicial Authority (the Equality Authority and the Anti-Discrimination Authority are known together as the “Equality Body”), include the elimination of direct and indirect discrimination on the grounds specified therein, the promotion of equality in the enjoyment of human rights and fundamental freedoms and the promotion of equal opportunities. This entails the adoption of promotion measures in line with these competences, the monitoring of the effective implementation of laws and regulations relevant to this area, as well as the imposition of financial and other sanctions in cases of violation or discrimination. Under this Law, discrimination is prohibited in the areas of employment, participation in organizations, social protection, social security, health care, education, access and provision of goods and services and housing.

14. In any case, the abovementioned Law does not provide sufficient legal protection to persons with disabilities, including to children with disabilities, because it does not

¹² General comment No. 7 (2018), of the Committee on the rights of persons with disabilities on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention (page 14).

¹³ Combating of Racism and Other Discrimination (Commissioner) Law (L. 42(I)/2004) available at: http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page52discrimination_en/page52discrimination_en?OpenDocument

recognize the refusal of reasonable accommodations as disability-based discrimination. This means that persons with disabilities cannot complain against the denial of reasonable accommodations (such as the denial of providing appropriate assistive technology at work or accessible environments in buildings and in the provision of services for individuals) as discrimination under this Law.

15. Furthermore, other laws provide rather limited protection from discrimination in specific areas such as the right to equal treatment and non-discrimination in fundamental rights in the area of independent living, inclusion in the community, equal participation in economic and social life, employment, goods and services, telecommunication and information, safeguarded by the articles 4, 5, 6 and 8 of the Persons with Disabilities Law (L. 127(I)/2000)¹⁴. Fortunately, following an amendment of the above Law in 2014 (L. 63(I)/2014)¹⁵, the definition of “reasonable accommodation” introduced therein was made consistent with the CRPD and ensured the provision of reasonable accommodation, as an essential effort to promote equality and eliminate discrimination, under article 5.3 of the CRPD.

16. According to children that took part to the “Commissioner’s Youth Advisors Panel” working under the Commissioner for Children’s Rights¹⁶, during their discussion with the Commissioner regarding the Principle of Discrimination, “people who are considered to be vulnerable may be children of low socio-economic backgrounds due to the difficulties they face, immigrant children due to foreign language or different cultures, children who are intimidated or having problems at home, children with disabilities or children belonging to minority groups or coming from a war zone”¹⁷.

¹⁴ Persons with Disabilities Law (L. 127(I)/2000 available at:
http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/pdf/3_%20127_2000.pdf

¹⁵ L. 63(I)/2014 available at:
[http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/pdf/63\(I\)_2014_tropopoiisi_euloges%20prosarmoges.pdf](http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/pdf/63(I)_2014_tropopoiisi_euloges%20prosarmoges.pdf)

¹⁶ Information about Commissioner’s Youth Advisors Panel available at:
http://www.childcom.org.cy/ccr/ccr.nsf/DMLteam_gr/DMLteam_gr?OpenDocument&omada-efivwn-symvoulwn

¹⁷ Notes from the second meeting of the 9th Commissioner’s Youth Advisors Panel dated 29th of March 2019 available at:
<http://www.childcom.org.cy/ccr/ccr.nsf/All/EA2E13B0E5218814C22583D60023FCD7?OpenDocument>

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Develop a comprehensive strategy plan with the aim of providing information on combating discrimination against children with disabilities in all aspects of life, taking into account the views of children with disabilities and their representative organizations.

3. Child participation (Article 7 of the CRPD/Art. 12 of the CRC)

17. The CRPD (Article 4 (3)), acknowledges the importance of systematically “including children with disabilities” in the development and implementation of legislation and policies to give effect to the Convention, and in other decision-making processes, through organizations of children with disabilities or supporting children with disabilities¹⁸. As of today, the Cyprus Government has not created an enabling environment for the establishment and functioning of representative organizations of children with disabilities, as part of their obligation to uphold the right to freedom of association, including appropriate resources for support, as required by the provisions of the CRPD.

18. In its Concluding Observations on Cyprus, the CRPD Committee notes with concern that the views of children with disabilities are insufficiently respected in matters concerning children and recommends that the State party, in collaboration with representative organizations of children with disabilities, adopt regulations and programmes to ensure that children with disabilities can express their views on all matters affecting them and that their views are fully respected (para. 21-22)¹⁹.

19. The international CRPD slogan is “Nothing about us without us!”. However, the Republic of Cyprus fails to fulfil its obligation to ensure the participation of persons with disabilities and especially children with disabilities, by not consulting their representative organizations (participation stipulation, see esp. art. 4, para. 3). Unfortunately, in Cyprus, children with disabilities are represented absolutely and only by their parents, guardians and other friends or members of their family, relatives and other adult persons (e.g. Pancyprian Federation of Parental Associations of Children with Special Needs, Pancyprian Organization of Parents and Friends of Children with Cerebral and other Disabilities “Aggalia Elpidas”, ADD-ADHD Cyprus, Cyprus Autism Association, Association of

¹⁸ General comment No. 7 (2018), of the Committee on the rights of persons with disabilities on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention (page 6).

Available at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=72>

¹⁹ Concluding Observations published by the Committee on the Rights of Persons with Disabilities Cyprus available at:

http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20170608_Concluding%20Observations.pdf

relatives and friends of persons with autism “MAZI”, Parents associations of children attending special schools, “Hope For Children” CRC Policy Center, etc).

20. A series of violations of human rights is directly linked to the violation of the obligation to provide full and effective involvement of the Civil Society, especially to persons with disabilities and their representative organizations, with regard to lawmaking or other decision-making procedures, including those most closely affecting the lives of persons with disabilities. Such violations also concern amendment procedures of existing legislation and processes for the adoption of new laws, regulations, decrees etc.

21. The role of organizations of children and young persons with disabilities is fundamental for the participation of children in public and community life, for their rights to be respected and their freedom of expression and association to be granted. Adults have a key and supportive role to play in promoting an environment that enables children and young persons with disabilities to establish and act, formally or informally, within their own organizations and initiatives, including through cooperation with adults and other children and young persons.

22. Children with disabilities are in the best place to express their own needs and experiences; hence, their views are necessary to develop appropriate legislation, regulations and programmes in accordance with the CRPD²⁰.

23. According to the General comment No. 7 (2018) of the CRPD Committee on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention: *“States parties can, for example, organize seminars/meetings in which children with disabilities are invited to express their opinions. They could also make open invitations to children with disabilities to submit essays on specific topics, encouraging them to elaborate on their first-hand experiences or life expectations. The essays could be summarized as inputs from the children themselves and directly included in decision-making processes”*. Until today, none of the above recommendations have been implemented in Cyprus and

²⁰ General comment No. 7 (2018), of the Committee on the rights of persons with disabilities on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention (page 6). Available at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=72>

thus, the views of children with disabilities opinions are not included in any programmes, legislations, regulations etc.

24. Furthermore, States parties should provide children with disabilities with support in their decision-making by, among other things, equipping them with, and enabling them to use any mode of communication facilitating the expression of their views, including child-friendly information, and adequate support for self-advocacy, and to ensure appropriate training for all professionals working with and for them. States parties should also provide disability and age-appropriate assistance and procedures, as well as support for children with disabilities. The participation of their organizations should be considered indispensable in consultations addressing specific issues that concern them, and their views should be given due weight in accordance with their age and maturity²¹.

25. During the 5th meeting of the Commissioner’s Youth Advisors Panel, that took place on the 2nd of November 2018²², it was noted that the participation of children in festivals and events is limited to a certain number of children, and the way they are designed and conducted does not allow all children to participate. As a child who is member of the Commissioner’s Youth Advisors Panel said regarding children with disabilities: “... *for board of their classrooms, excursions and parades not only they are not considered as part of the whole student community but they are thought to humiliate the school ...*”.

26. Commissioner’s Youth Advisors Panel also pointed out that children with disabilities do not have the opportunity to participate in the “Central Student Councils”. Children noted that in the election procedures, disability is considered to affect the effective representation of the student community while, in other cases, the disability is separated and the participation of a child in the “Central Student Councils” is influenced by his/her disability. Furthermore, inadequate information and stereotypes about children with disabilities seem to influence the election of a child with a disability in the “Central Student

²¹ General comment No. 7 (2018), of the Committee on the rights of persons with disabilities on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention (page 14). Available at: <http://www.kysoa.org.cy/kysoa/page.php?pageID=72>

²² Notes from the 5th meeting of the Commissioner’s Youth Advisors Panel that took place on the 2nd of November 2018 available at: <http://www.childcom.org.cy/ccr/ccr.nsf/All/E88A8E4C9D68D2EBC225835C004459A5?OpenDocument>

Councils”. As a child reported: *“Sometimes children with physical disabilities may not face discrimination and participate in the Central Student Councils. But children with “mental disabilities”, although they may participate in the board of their classroom, are not participating in the Central Student Council because the other children think that they would not contribute as much as the others”.*

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Provide support for the creation of a representative organization of children with disabilities.
- Adopt regulations and programmes to ensure that children with disabilities can express their views on all matters affecting them and that their views are fully respected.
- Organize seminars/meetings in which children with disabilities are invited to express their opinions, invite children with disabilities to submit essays on specific topics, encouraging them to elaborate on their first-hand experiences or life expectations and summarized their essays as inputs from the children themselves and directly included in decision-making processes.
- Tackle negative stereotypes and stigma affecting the participation of children with disabilities.
- Develop strategies to ensure the participation of children with disabilities in consultation processes for the implementation of the CRPD and CRC that are inclusive, child-friendly, transparent and respectful of their rights to freedom of expression and thought.

4. Disability-based discrimination in the area of education (Articles 5 and 24 of the CRPD/Articles 2, 23.2, 23.3, 28 and 29.a 2 of the CRC)

27. Although the Committee on the rights of persons with disabilities²³ recommends that the Cyprus Government should establish a clear legislative definition of inclusive education, adopt measures, including reasonable accommodation in all schools, to ensure that children with disabilities are able to exercise their right to education, and provide for their inclusion in the mainstream education system, not much has been done until today.

28. The Cyprus education system is far away from reaching the standards defined in CRPD article 24, providing that an inclusive education system must ensure comprehensive access to the general education system without discrimination and on an equal basis, starting from preschool and elementary school and continuing on through high school, university, vocational training and lifelong learning. This includes the utilization of all reasonable accommodations, an accessible design of the facilities as well as high-quality, individualized measures to promote learning in due consideration of aspects that support both habilitation and rehabilitation.

29. Education of children with disabilities is still covered by the Education and Training of Children with Special Needs Laws of 1999 - 2014 (L. 113(I)/99)²⁴ and the Education and Training of Children with Special Needs Regulations of 2001-2013²⁵ which is responsible for the provision of the integration of children with disabilities to the mainstream education and in exceptional cases, the education of children in Special Schools.

30. The above legislation continues to be governed by the individual model of disability and focuses on the individual and his/her disability, resulting in the exclusion in law of certain categories of children from the mainstream education system, because of their disability. Contrary to this, the Convention emphasizes that all children must be given access to mainstream schools, regardless of disability. In addition, in accordance with the

²³ Concluding Observations of the Committee on the Rights of Persons with Disabilities, para. 39

²⁴ Education and Training of Children with Special Needs Laws of 1999 – 2014 (L. 113(I)/99) available at: http://www.cylaw.org/nomoi/enop/non-ind/1999_1_113/full.html

²⁵ Education and Training of Children with Special Needs Regulations of 2001-2013 available at: http://www.moec.gov.cy/eidiki_ekpaidefsi/nomothesia.html

legislation in force, the transfer of children to a mainstream school has been accompanied by measures leading to exclusion (special classes, integration classes). Moreover, even the children are directly admitted to mainstream school, they experience exclusion and marginalization because of stigma and negative stereotypes.

31. Also, the abovementioned Law introduced the concept of integration in Cyprus but, until today, the existing legislation legitimizes the establishment and further existence of new special schools and special classroom in mainstream schools. Individualized approaches are lacking and student are not assisted in developing individual, mobility and integration skills that would prepare them for the open labor market and the society in general. Furthermore, the teaching staff in mainstream schools does not yet receive appropriate training on disability matters. The teaching method followed by Ministry of Education is not in line with the principle of universal design for learning. As a result, children with disabilities are prevented from enjoying equal opportunities in mainstream education. Moreover, as some essential therapies such as physiotherapy, occupational therapy and speech therapy are provided only in special schools, parents prefer that their children with disability attend to special schools instead of mainstream ones.

32. According to Symeonidou (2015)²⁶ the provisions of the abovementioned Law does not ensure inclusive education and does not comply with the CRPD guidelines. Not only it legitimizes exclusion on the basis of disability, reflecting the rhetoric of a segregative educational ideology but, additionally, it maintains the option of special schooling and legitimizes the provision of education in special schools and special settings only for one group of students, that with disabilities. In other words, most children with disabilities are excluded on the basis of disability as they are placed in special settings or they are taught in self-contained classrooms known as “special units”, violating article 24 para. 2. (a) of the CRPD.

33. In practice children with intellectual as well as with other “serious, severe and multiple disabilities” attend special schools instead of participating into the mainstream education. Additionally, parents usually prefer that their children attend Special Schools up to the age of 21, since, besides special schools, there are no alternative services and

²⁶ Symeonidou, S. (2015). Rights of People with Intellectual Disability in Cyprus: Policies and Practices Related to Greater Social and Educational Inclusion, *Journal of Policy and Practice in Intellectual Disabilities*, 12 (2), 120–131

opportunities for training and employment, day care, independent living etc., thus creating a major problem, that of “transition from school to the society”.

34. According to statistical data from the Ministry of Education and Culture²⁷, in 2012, five thousand one hundred eighty-six (5.186) children with “special needs” were living in Cyprus. Three hundred forty-three (343) of them were students between the ages of 3-21 enrolled in special schools and four hundred forty-five (445) children were in the above-mentioned “special units” (seven hundred eighty-eight (788) in total). Another one thousand and thirty-three (1033) students with disabilities were integrated in mainstreamed primary schools. The remaining three thousand three hundred sixty-five (3365) of the registered students with “special needs” were enrolled in different types of secondary classrooms. According to the above data 15.2% of children “with special needs” were in special schools and special units, in contrast to 19.92% who were taught in primary schools and 64.89% who were in secondary education.

35. Additionally, according to statistical data from the Ministry of Education and Culture, out of the 8.118 children “with special needs” and disabilities educated in the school year 2015-2016, 4.465 were in primary education and special schools. The percentage of children in special schools and classrooms increased from 15% in the year 2012 to 20% in 2017. However, this figure includes children with disabilities, children with learning difficulties, children with attention deficit hyperactive disorder (ADHD), children that face difficult family situations, those who live in poverty conditions, as well as, children with delinquent behavior and who do not speak the language of the country.

36. The government is not yet fully ready to implement the inclusive education principle, a high-quality education system, allocating individual aids (reasonable accommodation) primarily aimed at creating the best possible learning environment.

37. Another issue raised is the right to bilingual education programs for people with hearing impairments which are not implemented in Cyprus. General education schemes are still not sufficiently aligned with the standards of accessibility and comprehensive needs. This applies to the layout of buildings, pedagogy and didactics, as well as learning and teaching materials. Additional barriers result from the restrictive availability of such

²⁷ Statistical data given in a meeting of the Thematic Technical Committee on Education and Vocational Training, by an Officer of the Cyprus Ministry of Education and Culture.

materials in accessible forms. Moreover, all elements of the education system suffer from the lack of ongoing and systematic qualification measures for the staff.

38. Until today, the government has not applied any comprehensive, nationwide scheme for inclusive education in the school system. The Government's NDAP for the implementation of the CRPD refuses to provide such scheme and restricts itself to a few individual measures.

39. Segregated education remains rooted in the education system of Cyprus, which is also frequently reflected by the attitudes of teachers and other relevant professionals. The right of children with disabilities to inclusive education in mainstream schools may be also restricted by parental consent.

40. New national curriculum content analysis studies (Symeonidou & Mavrou, 2014)²⁸ suggest that children with disabilities are not considered to be on equal terms with their peers. References to disability are either omitted, silenced or presented in a way that convey ideas associated with the medical and charity models, which perpetuate the stigma towards persons with disabilities. In addition, the same analysis showed that the new National Curriculum failed to integrate the principles of universal design for learning as a means to differentiation of learning for the needs of all learners. To an extent that would enable teachers realize that they are expected to accommodate all students in their class (Mavrou & Symeonidou, 2014)²⁹ and this cannot be characterized as inclusive.

41. The Alliance calls for the consistent involvement of persons with disabilities and their associations in the development of inclusive school structures, and for the corresponding necessary financial resources to make this possible. Up until now, participation in the running procedures did not lead to an eye-to-eye level meetings with persons with disabilities and their associations. Likewise, parents, teaching staff and notably the students must be consistently and proactively included in the democratic

²⁸ Symeonidou, S., & Mavrou, K. (2014). Deconstructing the Greek-Cypriot new national curriculum: to what extent are disabled children considered in the 'humane and democratic school' of Cyprus? *Disability and Society*, 29(2), 303–316. DOI:10.1080/09687599.2013.796879.

²⁹ Mavrou, K. & Symeonidou, S. (2014) Employing the principles of Universal Design for Learning to deconstruct the Greek-Cypriot new national curriculum. *International Journal of Inclusive Education*. 18(9), 918-933. DOI:10.1080/13603116.2013.859308 available at: <http://www.tandfonline.com/eprint/g2Nt9HMTZdqB3G6rVJRI/full>

transition processes in education institutions. This is mirrored by the motto, “Nothing about us, without us!” Considerable deficiencies also exist regarding peer support programs.

42. The Alliance deplors the fact that the responsible authorities failed to push a proactive and truly public debate that is in favor of inclusive education. Also, this debate should address all the responsibilities that come along with all school types and phases, with no exceptions. In too many cases, the debate on inclusion is limited to specific advancement schemes and school types. Up until this day, there has been no discussion about the question of whether a school system that is largely based on norms and grading schemes is really likely to achieve the goal of building an inclusive education system, especially since it is combined with the lack of, or insufficient, legal regulations for differentiated learning directed towards different schools qualification levels. The support that the responsible authorities have voiced regarding inclusion often appears to be just “lip service”.

43. In addition, certificates from special schools, special units, the Apprenticeship System, the status of the Observant in secondary education are neither recognized by the State nor by the labour market. Hence, graduates with disabilities from these settings face difficulties to fulfil qualifications for employment in the public and private sector according to eligibility criteria of the Recruitment to the Public and Wider public sector Legislation of 2009, as well as eligibility criteria for unemployment schemes³⁰.

44. The efforts of representative organizations of persons with disabilities to persuade the State to decide upon a clear legislative scope of inclusive education and monitor its implementation with a view to fully replacing segregated education by inclusive education remains unsuccessful.

45. Although the Republic of Cyprus is in the process of reforming the “special needs education system” by amending the Education and Training of Children with Special Needs Laws 1999 – 2014³¹, the new legislation prepared by the Ministry of Education and Culture does not comply with the UN Convention on the Rights of Persons with Disabilities, nor it

³⁰ Mavrou, K. and Liasidou, A. (2013). ANED 2013 Task 5: Annual Growth Survey briefing note - Cyprus. January 2013, EU

³¹ Education and Training of Children with Special Needs Laws 1999 – 2014 available at: http://www.kysoa.org.cy/kysoa/userfiles/file/nomotheties/nomoi%20voulis/pdf/4_113_1999.pdf

does guarantee the rights of children with disabilities to education. Unfortunately, the provisions of the proposed law violate to a large extent a number of inalienable, fundamental rights of children with disabilities in Cyprus. Particularly, it violates the principles of the Preamble and articles 5, 7, 9, 19, 20, 24 and 28 of the CRPD.

46. The Alliance, after having carefully and thoroughly studied the provisions of the proposed law, noted with disappointment that the law does not refer to children with disabilities and their right to education and, as a result, it cannot be accepted as a legislative framework for inclusive education. The provisions of the proposed law, instead of abolishing the anachronistic, separative, segregative and discriminative structures of education, further legitimize it by renaming it as “inclusive education structures” working in a manner contrary to every aspect of the real, legal, rightful, pedagogical and sociological concept of “inclusive education”.

47. The Alliance, expected that during the preparation of the proposed law, the Ministry of Education and Culture in Cyprus would have taken into account the Concluding Observations published by the Committee on the Rights of Persons with Disabilities for our country on the 8th of May 2017³². According to the Concluding Observations (para. 49): *“The Committee is deeply concerned about the absence of a clear and implemented concept of inclusive education in mainstream schools in national legislation. It notes with concern that segregated education remains rooted in the education system, which is also frequently reflected by the attitudes of teachers and other relevant professionals”*.

48. As a result, the proposed law prepared by the Ministry, does not take into consideration the recommendations of the CRPD Committee (para. 50 of Concluding Observations), in particular:

- (a) Decide upon a clear legislative scope of inclusive education and monitor its implementation with a view to fully replacing segregated education by inclusive education;

³² Concluding Observations published by the Committee on the Rights of Persons with Disabilities Cyprus available at: http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20170608_Concluding%20Observations.pdf

(b) Adopt a clear, targeted and adequately funded plan of action that includes access to reasonable accommodation and adequate teacher education and training, and progressively ensure that children and adult learners with disabilities are able to exercise their right to inclusive education;

(c) Be guided by general comment No. 4 (2016) and targets 4.5 and 4 (a) of the Sustainable Development Goals in ensuring equal access to all levels and types of education, education facilities and vocational training by persons with disabilities.

49. Furthermore, the proposed law is not guaranteed at all and/or does not even refer to teachers' obligation to educate all children, including children with disabilities, qualitatively, personalized and integrated. The proposed law promotes the role of the segregative education system, the separation of children with disabilities from other children and their marginalization is maintained as inferior, fully incapacitated and "non-educated".

50. Regarding accessibility of schools, children taking part in the Commissioner's Youth Advisors Panel, noted that there should be ramps in all schools for children with disabilities and that the floors should be made from materials that minimize the noise in order to help children with hearing impairment to participate in the lessons³³.

51. Furthermore, children taking part in the Commissioner's Youth Advisors Panel said that another aspect that need improvement at schools is the teaching methods. As they noted, the current form of teaching is not appropriate to meet the needs of all children and that's why they suggested various measures to ensure that all children will benefit from teaching methods. For example, they suggest the reinforcement of existing staff with qualified staff, which will enhance the participation of children in specific courses: e.g. the inclusion of a child with physical disability in the gymnastic course³⁴.

³³ Notes from the 5th meeting of the Commissioner's Youth Advisors Panel that took place on the 2nd of November 2018 available at:

<http://www.childcom.org.cy/ccr/ccr.nsf/All/E88A8E4C9D68D2EBC225835C004459A5?OpenDocument>

³⁴ Notes from the 5th meeting of the Commissioner's Youth Advisors Panel that took place on the 2nd of November 2018

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Ministry of Education and Culture to adopt a clear legislation of inclusive education and monitor its implementation with a view to fully replace segregated education by inclusive education.
- Adopt a new legislation consistent with the principles of inclusive education, as outlined in article 24 of the CRPD, condemning any kind of exclusion on the basis of disability.
- Prepare the mainstream schools for the challenges that come along with inclusive education and provide them with support during the transformation process. Differentiated learning must become mandatory; the schools must offer full-time classes and extracurricular activities for all students; the links between school and life outside of school must be strengthened; the transition processes from one schooling phase to the next must be improved; vocational guidance as well as the preparation for vocational training in schools must be intensified.
- Transform special schools in order to play a role in the whole educational system consistent with the human rights perspective
- Consult with and actively involve persons with disabilities, including children with disabilities, through organizations of persons with disabilities, in all aspects related to the planning, implementation, monitoring and evaluation of inclusive education policies and legislation.

Institutionalization of children with disabilities (Articles 7 and 14 of the CRPD/Articles 23 and 37 of the CRC)

52. A significant number of children and adolescents with disabilities (approximately 20%) are institutionalized or live in isolation. There is no comprehensive policy or strategic action plan to deinstitutionalize these children and, in this way, the State fails to comply with CRPD standards. It is important to note that these children might have never had access to speech therapy, vocational therapy and physiotherapy in these institutions.

53. There is no information regarding the use of psychotropic medication on children and adolescents with disabilities, especially those residing in institutions and any official data regarding the number of institutions, monitoring mechanism and the possibility to file complaints.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Collect specific information regarding potential use of psychotropic medication on children and adolescents with disabilities and adopt a policy prohibiting their use.

5. Protection policies for children with disabilities against violence, abuse and neglect (Article 16 of the CRPD)

54. Violence against any person is recognized by several laws as a punishable crime in Cyprus, including the Cyprus Penal Code (Cap. 154)³⁵, which covers most crimes of violence and abuse and various others, such as the Law on Domestic Violence (Prevention and Protection of Victims) (L. 119 (I)/2000)³⁶ and the Law on the Prevention and Combating of Sexual Abuse, Sexual Exploitation of Children and Child Pornography (L. 91(I)/2014)³⁷. However, violence, exploitation and abuse against persons with disabilities in particular, are rarely or not mentioned at all in the aforesaid laws.

55. Bearing in mind that Cyprus has eventually ratified the Council of Europe Convention on preventing, and combating violence against women and domestic violence (Istanbul Convention)³⁸, the Alliance is expecting from the Government of Cyprus to provide accessible monitoring and reporting mechanisms to detect, prevent and combat all forms of violence, including sexual violence, against persons with disabilities in all settings, including all types of institutions, with a particular focus on women and children with disabilities, in addition to ensuring of capacity-building among employees within the judiciary, police, health and social sectors to ensure accessible and inclusive support services, including confidential complaint mechanisms, as well as shelters and other support measures.

56. The Committee on the rights of persons with disabilities in its Concluding Observations (para. 39) is concerned about the insufficiency of legal provisions and accessible mechanisms to detect, report, prevent and combat all forms of violence, including sexual violence in private and public spheres against persons with disabilities, including children. For that reason, the CRPD Committee recommends that the State party strengthen and implement legislation and provide for accessible monitoring and reporting

³⁵ Cyprus Penal Code (Cap. 154) available at: http://www.cylaw.org/nomoi/enop/non-ind/0_154/full.html

³⁶ ³⁶ Law on Domestic Violence (Prevention and Protection of Victims) (L. 119 (I) / 2000) available at: http://www.cylaw.org/nomoi/enop/non-ind/2000_1_119/full.html

³⁷ Law on the Prevention and Combating of Sexual Abuse, Sexual Exploitation of Children and Child Pornography (L. 91(I)/2014) available at: http://www.cylaw.org/nomoi/enop/non-ind/2014_1_91/full.html

³⁸ Convention on preventing, and combating violence against women and domestic violence available at: http://www.cylaw.org/nomoi/arith/2017_3_014.pdf

mechanisms to detect, prevent and combat all forms of violence, including sexual violence, against persons with disabilities in all settings, including all types of institutions, with a particular focus on women and children with disabilities (para. 40)³⁹.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Strengthen and implement legislation and provide for accessible monitoring and reporting mechanisms to detect, prevent and combat all forms of violence, including sexual violence, against persons with disabilities in all settings, including all types of institutions, with a particular focus on women and children with disabilities.
- Counselling services for children with disabilities exposed to violence must be available and accessible.
- Conduct research on exposure to violence regarding boys and girls with disabilities, including boys and girls who live in institutions.

³⁹ Concluding Observations published by the Committee on the Rights of Persons with Disabilities Cyprus available at:
http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20170608_Concluding%20Observations.pdf

6. Protection of children with disabilities to enjoy the right to a family (Article 23 of the CRPD)

57. Parents with disabilities are frequently seen as inadequate or unable to take care of their children. Separation of a child from his or her parents based on the disability of the child or parents or both is discrimination and in violation of article 23.

58. The placement of children in institutions on the basis of their impairment is also a form of discrimination prohibited by article 23(5) of the CRPD. Cyprus Government must ensure that parents with disabilities and parents of children with disabilities have the necessary support in the community to care for their children.⁴⁰

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Develop a comprehensive strategy and measures for an effective deinstitutionalization. No investment should be made for new institutions and resources should be allocated to enable all persons with disabilities, including children with disabilities, to live independently and to have support in the community based on their own choice and preference.

⁴⁰ General comment No. 6 (2018) on equality and non-discrimination

7. Data collection (Articles 7 and 31 of the CRPD)

59. The Committee on the rights of persons with disabilities in its Concluding Observations for Cyprus referred to the absence of a unified data-collection system allowing to assess the extent to which all persons with disabilities are exercising all of their rights under the CRPD (para. 61) and recommends that the State party allocate adequate funding and, in close collaboration with organizations representing persons with disabilities, and in line with article 4 (3) of the Convention, establish a unified data-collection system in order to collect quality, sufficient, timely and reliable disaggregated data regarding persons with disabilities and their access to the rights under the Convention (para. 62)⁴¹. None of the abovementioned recommendations have been implemented until today by competent authorities in Cyprus.

60. When looking at the issues of inclusion, equal treatment and participation in society in Cyprus, the Government tends to focus only on education. Surveys that examine the living conditions of children and adolescents in Cyprus outside education (such as regarding leisure facilities, clubs and associations, media behavior and media skills) do not consider the aspect of disability. Consequently, there is no reliable information in this area, or facts and figures. The lack of a centralized comprehensive system of data collection, disaggregated by age, gender, disability, ethnicity and other elements was also raised by the Committee on the Rights of the Child in 2012.⁴²

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

⁴¹ Concluding Observations published by the Committee on the Rights of Persons with Disabilities Cyprus available at: http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20170608_Concluding%20Observations.pdf

⁴² CRC Committee Concluding Observations on Cyprus, September 2012, CRC/C/CTP/CO/3-4, para. 17-18.

- Allocate adequate funding and establish a unified data-collection system in order to collect quality, sufficient, timely and reliable disaggregated data regarding children with disabilities and their access to the rights under the CRPD and CRC.

8. Situation of migrant and refugee children (Articles 7 and 11 of the CRPD)

61. In situations of risk and humanitarian emergencies, it is important for States parties and humanitarian actors to ensure the active participation, coordination and meaningful consultation with organizations of persons with disabilities, including those at all levels representing women, men and children with disabilities of all ages. This requires the active involvement of organizations of persons with disabilities in the development, implementation and monitoring of emergency-related legislation and policies, and the establishment of priorities for aid distribution, in accordance with article 4 (3)⁴³.

62. Cyprus is one of the countries that receive a high number of asylum seekers, refugees or migrants but the competent authorities haven't put in place formal, legally defined procedures to ensure accessibility for persons with disabilities, including women and children with disabilities and persons with psychosocial and intellectual disabilities, in reception facilities and other settings⁴⁴.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Design all humanitarian aid, disaster risk reduction and disaster preparedness measures, policies and programs according to the standards of inclusion and accessibility.
- Acknowledge “disability” as a criterion justifying funding for the future “humanitarian aid strategy”. Promote specific measures in order to ensure the fulfilment of basic needs (protection, safety, food, water etc.) as well as specific needs (aids and other articles, medical care, specific medication and so on).

⁴³ General comment No. 7 (2018), of the Committee on the rights of persons with disabilities on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention (page 15).

⁴⁴ General comment No. 6 (2018) on equality and non-discrimination

9. Early support services and access to health (Articles 7, 25 and 26 of the CRPD)

63. According to the only study conducted in 2011 by the “Early Childhood Intervention Services”⁴⁵ there is no model for early childhood intervention that targets the disability diagnosis (identification), the assessment of needs and opportunities, the intervention and the review of each case. The abovementioned stages can be applied fragmentarily in Cyprus or with delays, regardless of the age of the child, the services provided and the economic potential of the family or even the social skills of the parents.

64. The Committee on the Rights of Persons with Disabilities is concerned about the limited access to early intervention and support provided to children with disabilities and their families, especially within the educational, health and social sector, and about the inadequate financial allowances available for families of children with disabilities (para. 19 of Concluding Observations). The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities, adopt and implement human rights-based policies, laws and regulations to increase access by children with disabilities and their families to early intervention and other forms of individualized and necessary service and support, including earmarked financial support, in accordance with article 28 of the Convention (para. 20 of Concluding Observations)⁴⁶.

65. Concerning access to health services, the Committee is concerned about the insufficient accessibility to health-care services by persons with disabilities. It also notes with concern that information regarding sexual and reproductive health is insufficiently accessible and that women and girls with disabilities are subjected to discrimination and stereotyping in this field. Furthermore, the Committee is concerned that relevant legislation does not systematically apply a human rights-based approach to disability (para. 51 of Concluding Observations) .The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities with a special focus on the collaboration with women and girls with disabilities, and in line with article 4

⁴⁵ Annual Report for the year 2015 of the Committee for the Protection of the Rights of People with a Mental Handicap.

⁴⁶ Concluding Observations published by the Committee on the Rights of Persons with Disabilities Cyprus available at:
http://www.kysoa.org.cy/kysoa/userfiles/file/Suymvasi%20OHE/20170608_Concluding%20Observations.pdf

(3) of the Convention, ensure accessibility to health services and facilities, and to information and communication regarding sexual and reproductive health rights and services on an equal basis with others, and that the health personnel be educated and trained on the rights of persons with disabilities. The Committee also recommends that the State party strengthen and implement mechanisms to combat discrimination and stereotyping in line with general comment No. 3 (2016) and targets 3.7, 3.8 and 5.6 of the Sustainable Development Goals in the field of access to health services. Furthermore, the Committee recommends that the State party apply a human rights-based approach to disability in the provision of health services to persons with disabilities (para. 52 of Concluding Observations).

66. The repetitively proposed suggestions from the Alliance to adopt and implement human rights-based policies, laws and regulations to increase access by children with disabilities and their families to early intervention and other forms of individualized and necessary service and support, including earmarked financial support⁴⁷, are still not taken into consideration by the Government.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Develop a holistic and comprehensive network of health and social care services for the early diagnosis and intervention for children with disabilities, in close consultation with their representative organizations.
- Ensure that the dimension of disability is incorporated into all ongoing legal amendments including the reform procedures for the new health system.

⁴⁷ Strategic Action Plan for Disability 2018-2020, para. 28.

10. Adequate standards of living (Articles 7 and 28 of the CRPD)

67. According to Social Welfare Services⁴⁸, the increase of the risk of poverty and exclusion for people under the age of 18 is worrying in Cyprus, since from 23,4% in 2011 increase to 27,5% in 2012 and 27,7 in 2013. With regard to children with severe psychosocial disability, children under the age of 18 are the most vulnerable population, since the percentage increased from 14.8% in 2011 to 18.3% in 2012 and 18.7% in 2013, compared to 11,8% in the EU-28 in 2012⁴⁹.

68. As researchers report⁵⁰, "child poverty, which traditionally kept low percentage in Cyprus for various reasons, reached 16.7% in 2015". According to the same researchers, the AROPE (at risk of poverty and social exclusion), which includes the absence of the necessary species and living in a very low-income household, shows that one in three children in Cyprus is at risk of poverty or social exclusion.

69. The lack of a specific budget allocation for the needs of children in Cyprus, consists failure to fulfill children's rights, which was also highlighted by the Commission on the Rights of the Child, since the needs of children with disabilities are covered by funds targeted at the wider general population. Therefore, children's needs, which States are obliged to satisfy for all children, an obligation arising from the CRC, are not taken into account, as there are no policies and practices tailored to meet the needs of children. Also, decisions taken in times of economic crisis or decisions taken on the basis of statistic data are also addressed to children with disabilities, resulting in negative consequences for children's population. However, it is very important, for children with disabilities to continue their therapies, thus a decision, legislation or practice adopted for the general population cannot be applied to the children's population.

⁴⁸ Ministry of Labour, Welfare and Social, Social Welfare Services (2014) *Strategy for Social Policy 2014-2020 (page 13)*. Nicosia.

⁴⁹ Ministry of Labour, Welfare and Social, Social Welfare Services (2014) *Strategy for Social Policy 2014-2020 (page 14)*. Nicosia.

⁵⁰ Koutsampelas, C., & Pashardes, P. (2017). *Social Protection in Cyprus: Overview and Challenges*. University of Cyprus: Economics Research Center.

70. The denial of competent authorities to considered children with disabilities as beneficiaries to certain benefits, affect their development, especially in the cases that the family is unable to afford their treatments.

Recommendations

The Alliance would like to suggest to the CRC Committee to address the following recommendations to the State Party:

- Provide social protection benefits for children with disabilities, separately from all other social welfare provisions on the ground of disability and irrespective of income, financial situation and property or other assets of their parents/family.
- Ensure adequate standard of living of persons with disabilities, for example by covering nutrition, clothing and hygienic needs and prevent poverty of children with disabilities.

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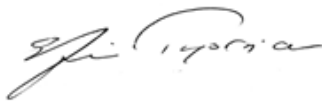
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